

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL
ILLINOIS
COMMERCE COMMISSION
AUG 30 9 53 AM '01
CHIEF CLERK'S OFFICE

ANGELA JONES
Complainant,

vs.

THE PEOPLES GAS LIGHT AND
COKE COMPANY
Respondent.

No. 01-0474

**APPLICATION FOR THE ISSUANCE OF A
SUBPOENA DUCES TECUM AND SUBPOENA AD TESTIFICANDUM**

NOW COMES the Respondent, THE PEOPLES GAS LIGHT AND COKE COMPANY ("Peoples Gas") by and through one of its attorneys, Peter Brigida, and pursuant to 220 ILCS 5/10-101 and 83 Ill. Admin. Code § 200.380, moves this Honorable Commission for the issuance of a subpoena duces tecum directing the keeper of the business records of Commonwealth Edison Company to produce the following at the offices of The Peoples Gas Light and Coke Company, 130 E. Randolph, 23rd floor, Chicago, Illinois, before noon on October 2, 2001:

Records for all accounts at 4442 South St. Lawrence Avenue, Chicago, for the period of time from August 1995 through March 2001. In particular, any records showing customer names, dates of turn on and turn-off, any periods of inactivity, and electricity usage for the above address.

Peoples Gas also moves this Honorable Commission to issue a subpoena ad testificandum directing the keeper of the business records of Commonwealth Edison Company to testify and give evidence related to the foregoing records at the offices of the Illinois Commerce Commission, Chicago, Illinois, State of Illinois Building, 160 North LaSalle, Suite C-800, on October 18, 2001 at 10:00 A.M.

In support of the Application for the Issuance of a Subpoena Duces Tecum and Subpoena Ad Testificandum, Respondent states as follows:

1. Angela Jones ("Complainant") has filed a formal complaint alleging that Peoples Gas has improperly charged \$7,937.99 (the "Charge") to her account at 4442 South St. Lawrence Avenue for unmetered gas usage at that address for the period from 1995 through the present.

2. Peoples Gas believes that the subpoena for which it is applying will produce information which may establish that: (1) Complainant is responsible for the Charge; and (2) the Charge was properly billed to her account at 4442 South St. Lawrence Avenue

3. The issuance of a subpoena is reasonably required to obtain the information sought because the keeper of the records for Commonwealth Edison will not produce its business records or testify without being served with a subpoena.

WHEREFORE, the Respondent requests that a subpoena in the form attached hereto be duly issued upon the Commonwealth Edison Company.

Respectfully submitted,

By: Peter Brigida
Peter Brigida
An Attorney for The Peoples
Gas Light and Coke Company

Peter Brigida
The Peoples Gas Light and Coke Company
130 East Randolph Drive, 23rd Floor
Chicago, Illinois 60601

Dated this 29th day
of AUGUST, 2001.

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

ANGELA JONES)	
Complainant,)	
)	
vs.)	No. 01-0474
)	
THE PEOPLES GAS LIGHT AND)	
COKE COMPANY)	
Respondent.)	

SUBPOENA DUCES TECUM AND SUBPOENA AD TESTIFICANDUM

To: Keeper of the Records
Commonwealth Edison Company
c/o Kristine Kelly
10 South Dearborn, Suite 35
Chicago, Illinois 60603

You are hereby notified and commanded to produce at the offices of The Peoples Gas Light and Coke Company, 130 E. Randolph, 23rd floor, Chicago, Illinois, before noon on October 2, 2001, the following:

Records for all accounts at 4442 South St. Lawrence Avenue, Chicago, for the period of time from August 1995 through March 2001. In particular, any records showing customer names, dates of turn on and turn-off, any periods of inactivity, and electricity usage for the above address.

You are also hereby notified and commanded to testify and give evidence related to the foregoing records at the offices of the Illinois Commerce Commission, Chicago, Illinois, State of Illinois Building, 160 North LaSalle, Suite C-800, on the October 18, 2001 at the hour of 10:00 A.M.

By authority of the Illinois Commerce Commission this _____ day of _____, 2001.

ILLINOIS COMMERCE COMMISSION

By: _____
Chief Clerk

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

ANGELA JONES
Complainant,

vs.

THE PEOPLES GAS LIGHT AND
COKE COMPANY
Respondent.

No. 01-0474

NOTICE OF FILING APPLICATION FOR ISSUANCE OF SUBPOENA

To: Administrative Law Judge Hilliard
160 N. LaSalle Street
Suite C-800
Chicago, Illinois 60601

Ms. Angela Jones
4442 South St. Lawrence Avenue
Chicago, Illinois 60653


To: Keeper of the Records
Commonwealth Edison
c/o Kristine Kelly
10 South Dearborn, Suite 35
Chicago, Illinois 60603

PLEASE TAKE NOTICE that on this date I have mailed for filing with the Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, Illinois 62706, the original and three copies of The Peoples Gas Light and Coke Company's Application for Issuance of Subpoena Duces Tecum and Subpoena Ad Testificandum.

Dated: August 29, 2001

Respectfully submitted,

By:


Peter Brigida
An Attorney for The Peoples
Gas Light and Coke Company

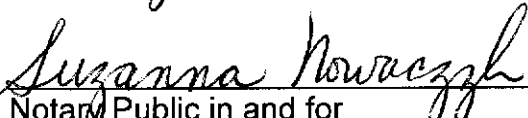
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

VERIFICATION

I, Peter Brigida, being first duly sworn upon oath, depose and say that I have read the above and foregoing Application for the Issuance of a Subpoena Duces Tecum and Subpoena Ad Testificandum by me subscribed and know the contents thereof; and that said contents are true in substance and in fact.


Peter Brigida

SUBSCRIBED AND SWORN
before me this 29th day
of August, 2001.


Notary Public in and for
the County of Cook,
Illinois



My Commission Expires: 2/29/2004

CERTIFICATE OF SERVICE

I hereby certify that I have this day served this Application for the Issuance of a Subpoena Duces Tecum and Subpoena Ad Testificandum by personal delivery or by placing a copy thereof in the United States mail with first class postage affixed, addressed to the Complainant and the Administrative Law Judge in Docket No. 01-0474 and to:

Keeper of the Records
Commonwealth Edison
c/o Kristine Kelly
10 South Dearborn, Suite 35
Chicago, Illinois 60603

Dated at Chicago, Illinois this 29th day of AUGUST,

2001.


Peter Brigida